

REMARKS

Claims 1-23 are pending. Applicants elect with traverse the paramyxovirus family as “a single virus or virus family as the source or origin of the virus envelope” for examination on the merits. Claims 1-23 read on the elected species. In particular, claim 6 recites the virus family and claim 7 recites Sendai virus which is a member of the family. Applicants reserve the right to prosecute nonelected subject matter in a further patent application.

Notwithstanding the above election, reconsideration of the restriction requirement is requested because examination of all viruses and virus families would not constitute a serious burden. In particular, most claims are generic for viruses and virus families. Therefore, viruses that are not members of the paramyxovirus family should not be withdrawn from consideration.


In the alternative, it is noted that all of the independent claims are generic or linking claims and that examination should proceed under the provisions of M.P.E.P. § 809. Although the inventions identified by the Examiner are separately patentable, both the need for compact prosecution and the public interest would be served by examination of all claims in a single application.

Applicants earnestly solicit an early and favorable examination on the merits. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Gary R. Tanigawa
Reg. No. 43,180

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100